

Message Text

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ACTION AF-18

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TO SECSTATE WASHDC 7794

INFO AMEMBASSY BRUSSELS

C O N F I D E N T I A L KHARTOUM 0467

E.O. 11652: GDS

TAGS: PINS, SU

SUBJ: KHARTOUM ASSASSINATIONS--MAGISTERIAL INQUIRY

REF: KHARTOUM 0451

1. SUMMARY: MAGISTERIAL INQUIRY CONCLUDED HEARING OF CASE AT SESSION HELD MARCH 2. TERRORIST LEADER RIDZIK AL-QAS WAS ONLY DEFENDANT TO PRESENT SUBSTANTIVE STATEMENT SEEKING FIRST, TO SUBSTANTIATE RIGHTNESS OF PALESTINIAN CAUSE AND SECOND, TO PUT BLAME FOR DEATHS ON USG FOR FAILING TO ACCEDE TO DEMANDS. WITH PRESENTATION THUS COMPLETED, MAGISTRATE ANNOUNCED INQUIRY WOULD MEET AGAIN ON MARCH 9 TO HEAR HIS DECISION ON QUESTION OF REFERRAL OF CHARGES TO HIGHER COURT. END SUMMARY.

2. MAGISTERIAL INQUIRY, HAVING COMPLETED HEARING TAPED STATEMENTS OF DEFENDENTS ON FEB 28, MET IN BRIEF SESSION MARCH 2 TO ACCEPT WRITTEN COMMENTS OF DEFENDENTS. ACTUALLY ONLY TERRORIST LEADER RIDZIK AL-QAS AND ONE OTHER DEFENDENT GAMAL HUSSEIN, TOOK ADVANTAGE OF OPPORTUNITY. HUSSEIN'S WAS ONLY MINOR CORRECTION TO HIS TAPED STATEMENT. RIDZIK HOWEVER READ GENERAL STATEMENT ON BEHALF OF ALL. IT APPEARED TO BE HIS INTENT TO MAKE TWO POINTS. FIRST WAS TO SUBSTANTIATE RIGHTNESS OF PALESTINIAN CAUSE
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BY CITING (A) STATEMENTS BY MAJOR ABUL GASSIM MOHD IBRAHIM,

MIN HEALTH, TO DEFENDENTS IN MEETING PRIOR TO MURDERS; (B) GOS STATEMENT READ OVER RADIO MORNING MARCH 2, 1973-DAY OF MURDERS-WHICH REPORTEDLY SUPPORTED CAUSE; AND (C) WRITTEN DECLARATION BY THREE VICTIMS THEMSELVES WHICH RIDZIK CLAIMED FREELY GIVEN AND WHICH ACKNOWLEDGED GENUINENESS OF PALESTIAN CASE. HE ASKED THAT BOTH RADIO STATEMENTS AND VICTIMS DECLARATIONS BE MADE PART OF EVIDENCE. (PROSECUTOR AGREED TO LATTER BUT SAID HE HAD NO KNOWLEDGE OF FORMER. MAGISTRATE AGREED, HOWEVER, MAKE FORMAL REQUEST FOR STATEMENT FROM MININFO.) SECOND WAS TO PUT BLAME ON USG FOR DEATHS BY SAYING THAT, IF IT HAD EITHER RELEASED SIRHAN SIRHAN OR IF IT HAD PURSUADED KING HUSSEIN TO RELEASE ABU DOUD AND OTHERS, HOSTAGES WOULD HAVE BEEN RELEASED. BUT PRESIDENT NIXON'S STATEMENT REFUSING TO RESPOND TO BLACKMAIL HAD SEALED FATES. RIDZIK CLOSED WITH GENERAL JUSTIFICATION OF BSO AS ORGANIZATION.

3. THIS IN EFFECT CONCLUDED PRESENTATION OF CASE TO MAGISTRATE. PROSECUTOR MADE MINOR RESERVATIONS TO EFFECT THAT HE MIGHT CALL BOTH SUDANESE AMBASSADOR IN BEIRUT (RE FORGED VISAS) AND DOCTORS (RE AUTOPSY OF BODIES) DURING ACTUAL TRIAL BEFORE HIGH COURT. HE NOTED THAT WHILE HE HAD BEEN UNABLE OBTAIN STATEMENTS FROM JORDANIAN CHARGE AND SAUDI AMBASSADOR THESE WERE NOT NECESSARY TO PROVING OF CASE. MAGISTRATE THEN ANNOUNCED THAT INQUIRY WOULD CONVENE AGAIN ON MARCH 9 TO HEAR HIS RULING ON REFERRAL OF CASE FOR TRIAL.

4. COMMENT: IN HOLDING SESSION MARCH 2, MAGISTRATE CLEARLY INDICATED HIS DESIRE BRING MATTER TO CLOSE. ONE WEEK APPEARS BE REASONABLE TIME TO ALLOW FOR FORMULATION OF DECISION AND DOES OF COURSE AVOID COINCIDENCE OF FINAL RULING WITH ANNIVERSARY OF ASSASSINATION ITSELF.
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